UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

- v. - :

ANGEL RODRIGUEZ,
a/k/a "Rico," :

Defendant. :

- - - - - - - - - - - - - - - - - - x

SUPERSEDING INFORMATION

s2 10 Cr. 1107 (DAB)

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: NOV 09 2011

COUNT ONE

The United States Attorney charges:

1. From at least on or about April 12, 2010, up to and including on or about July 28, 2010, in the Southern District of New York and elsewhere, ANGEL RODRIGUEZ, a/k/a "Rico," the defendant, not being a licensed importer, licensed manufacturer, or licensed dealer, willfully and knowingly engaged in the business of importing, manufacturing, and dealing in firearms, and in the course of such business did ship, transport, and receive firearms in interstate and foreign commerce, to wit, RODRIGUEZ sold, offered to sell, and arranged to sell eight firearms to two confidential informants.

(Title 18, United States Code, Section 922(a)(1)(A).)

COUNT TWO

The United States Attorney further charges:

2. From at least in or about May 2010 through in or

about June 2010, in the Southern District of New York and elsewhere, ANGEL RODRIGUEZ, a/k/a "Rico," the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

3. It was a part and an object of the conspiracy that ANGEL RODRIGUEZ, a/k/a "Rico," the defendant, and others known and unknown, would and did distribute and possess with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

4. The controlled substance involved in the offense was 28 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," in violation of Title 21, United States Code, Section 841(b)(1)(B).

Overt Acts

5. In furtherance of the conspiracy, and to effect the unlawful object thereof, ANGEL RODRIGUEZ, a/k/a "Rico," the defendant, committed the following acts, among others, in the Southern District of New York and elsewhere:

a. On or about May 20, 2010, in New York, New York, RODRIGUEZ sold approximately 49.2 grams of a substance containing cocaine base to a confidential informant.

b. On or about June 1, 2010, in New York, New

York, RODRIGUEZ sold approximately 18.6 grams of a substance containing cocaine base to another confidential informant.

(Title 21, United States Code, Section 846.)

COUNT THREE

The United States Attorney further charges:

6. On or about May 20, 2010, in the Southern District of New York and elsewhere, ANGEL RODRIGUEZ, a/k/a "Rico," the defendant, intentionally and knowingly distributed and possessed with the intent to distribute a controlled substance, in violation of 21 U.S.C. § 841(a)(1).

7. The controlled substance involved in the offense was 28 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," in violation of 21 U.S.C. § 841(b)(1)(B).

(Title 21, United States Code, Sections 812, 841(a)(1), 841(b)(1)(B) and Title 18, United States Code, Section 2.)

COUNT FOUR

The United States Attorney further charges:

8. On or about June 1, 2010, in the Southern District of New York and elsewhere, ANGEL RODRIGUEZ, a/k/a "Rico," the defendant, intentionally and knowingly attempted to distribute and possess with the intent to distribute a controlled substance, in violation of 21 U.S.C. § 841(a)(1).

9. The controlled substance involved in the offense

was mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," in violation of 21 U.S.C. § 841(b)(1)(C).

(Title 21, United States Code, Sections 812, 841(a)(1), 841(b)(1)(C) and Title 18, United States Code, Section 2.)

COUNT FIVE

The United States Attorney further charges:

10. From at least in or about February 2010 through in or about April 2010, in the Southern District of New York and elsewhere, ANGEL RODRIGUEZ, a/k/a "Rico," the defendant, and others known and unknown, intentionally and and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

11. It was a part and an object of the conspiracy that ANGEL RODRIGUEZ, a/k/a "Rico," the defendant, and others known and unknown, would and did distribute and possess with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

12. The controlled substance involved in the offense was a quantity of mixtures and substances containing a detectable amount of marijuana, in violation of Title 21, United States Code, Section 841(b)(1)(D).

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

13. As a result of committing one or more of the controlled substance offenses alleged in Counts Two, Three, Four, and Five of this Information, ANGEL RODRIGUEZ, a/k/a "Rico," the defendant, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the one or more of the narcotics violations and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the one or more of the violations alleged in Counts Two, Three, Four, and Five of this Information.

11. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1), 846, and 853.)

PREET BHARARA
United States Attorney

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SOUTHERN DISTRICT OF NEW YORK

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ANGEL RODRIGUEZ,
a/k/a, "Rico,"

Defendant.

INFORMATION

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(21 U.S.C. §§ 812, 841(a)(1), 841(b)(1)(B), 841(b)(1)(D), and 846; 18 U.S.C. § 2 and 922(a)(1)(A)).

PREET BHARARA
United States Attorney.

11/9/2011
[illegible]

Deft. pres. with attorney Roland Thau
AUSA R. Maimen Court Reporter present.
Interpreter pres/not pres. Deft. withdraws plea of not guilty & enters a plea of guilty to count(s) 1,2,3,4+5 ~~PSI Ordered~~. Sentence Control Date 2/9/2012.
Bail Continued.
Mag. Judge Francis. recommends Judge Batts.
accept the guilty plea.

J Francis
U.S.M.J.